

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

Plaintiff, an inmate in the Contra Costa County Jail, has filed this pro se civil rights complaint under 42 U.S.C. § 1983. Plaintiff filed a motion for summary judgment, a motion for service of a court order, and a motion pertaining to exhaustion of administrative remedies before Defendants were served with the summons and complaint. Plaintiff was instructed in the Order of Service that all of his communications with the Court “must be served on Defendant, or Defendant’s counsel once counsel has been designated, by mailing a true copy of the document to Defendant or Defendant’s counsel.” Plaintiff’s motions were accompanied by a proof of service indicating that they had been served upon county counsel, but county counsel had not, and still has not, been designated as counsel for Defendants. Defendants were only recently served and the deadline for their appearance in this matter and their designation of counsel has not yet arrived.

As Plaintiff's motions (docket numbers 9, 10, 13) have not been properly served upon Defendants, they are DENIED without prejudice to Plaintiff re-filing them with a

1 proof of service indicating that they have been served upon Defendants or Defendants'  
2 counsel once counsel has appeared or been designated.

3 IT IS SO ORDERED.

4 DATED: July 11, 2012

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6 JEFFREY S. WHITE  
United States District Judge

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

KEVIN LAMAR HOPKINS,

Case Number: CV12-00813 JSW

Plaintiff,

## **CERTIFICATE OF SERVICE**

## CONTRA COSTA COUNTY et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 11, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kevin L. Hopkins CC11CZ851  
5555 Giant Hwy.  
Richmond, CA 94806

Dated: July 11, 2012

*Jennifer Ottolini*  
Richard W. Wiking, Clerk  
By: Jennifer Ottolini, Deputy Clerk